

Investigator

PORTLAND POLICE BUREAU  
DETECTIVE DIVISION  
TAPED STATEMENT TRANSCRIPTION

Case # 12-31366

April 14, 2012

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**Traynor:** So it is April 14<sup>th</sup>, 2012. It's approximately ten minutes after nine. We are at Emanuel Hospital and this is Detective Chris Traynor, Detective Mark Sponhauer. We're still here on #12-31366 and we're with JONATHAN LUND and what's? 4?

**Sponhauer:** 523.

**Traynor:** Room #4523 at Emanuel Hospital. JONATHAN, let me pull this up. This here is a digital recorder. Are you aware that it's a recorder?

**Lund:** Yes.

**Traynor:** Okay. The only thing I will say, you don't need to yell for it to hear you. It's very sensitive but it's not a camera so if you use some hand gesture to document something, it's not going to see that so I might tell you, hold on. Just for the record, you're using your right arm to show this, that or the other. And that's not because I'm trying to be difficult. It's just 'cause it doesn't see you.

**Lund:** Okay.

**Traynor:** Um, let me just get a couple things for the record. Will you spell your last name for me?

**Lund:** LUND, L-U-N-D.

**Traynor:** And your first name?

**Lund:** JONATHAN, J-O-N-A-T-H-A-N

**Traynor:** Okay. And do you have a middle name?

**Lund:** RICHARD.

**Traynor:** RICHARD, okay. And what's your date of birth?

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DECLARATION OF DET. CHRISTOPHER TRAYNOR

DENNIS 101305

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**Lund:** 07-06-73.

**Traynor:** Sorry. Say it again?

**Lund:** 07-06-73.

**Traynor:** 07-06-73.

**Lund:** July 6, 1973.

**Traynor:** Okay. And what's your home address?

**Lund:** 8907 N Haven, Portland, Oregon 97203.

**Traynor:** And your telephone number?

**Lund:** 971-563-4239.

**Traynor:** 971-563-4269?

**Lund:** No. 4239.

**Traynor:** 4239. Sorry. And where do you work?

**Lund:** Shaver Transportation.

**Traynor:** Shaver, do you know the address for Shaver?

**Lund:** 4900 NW Front Avenue.

**Traynor:** Okay.

**Lund:** I don't know the Zip Code.

**Traynor:** That's fine. Your son said it was on the Willamette and WENDY said it was on the Columbia so we were trying to figure out...

**Lund:** Both.

**Traynor:** Oh it's on both?

**Lund:** Yeah, there's actually more than one uh dock.

**Traynor:** Okay. And what's your position at Shaver?

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**Lund:** Shop Foreman.

**Traynor:** Shop Foreman, okay. Okay.

**Lund:** DON's boss.

**Traynor:** Yes. We heard that. So as I mentioned to you just a second ago, we've um, we'd like to talk to you about that incident that happened earlier on this morning. But here is my one concern at the moment: You're sitting here in a hospital bed so and you were brought here by ambulance. You were pepper sprayed by the police and we'll cover that in detail in a few minutes. But I would have a very hard time documenting that you were free to leave and for me to talk to you about, especially when you were effectively pepper sprayed by the police and then brought here. I'd have a hard time saying that you were free to leave. So what I'm going to do so that we can chat, before we chat, I'm going to read you your things, it's called Miranda rights, okay? I don't want you to take it to mean anything unusual. And absolutely I am not messing with you. I think there is a very reasonable explanation for what happened. But I do always have a concern when someone is in a hospital bed and they're not able to just get up and walk out. So I am going to dig through my envelope, my wallet here. So you have the right to remain silent. Anything you say can and will be used against you in a court of law. You have the right to talk to a lawyer and to have him present while you are being questioned. If you cannot afford to hire a lawyer, one will be appointed to represent you at no expense. Do you understand?

**Lund:** Yes.

**Traynor:** Okay. Do you want to read those yourself? You are more than welcome to do that.

**Lund:** No. Thank you.

**Traynor:** But you understand those?

**Lund:** Yes.

**Traynor:** Okay. So the police were called to your house this morning after your son reported a fight. And I know before we turned the recording on, you had started to tell us about a guy called DON who is a fellow employee of yours had come over and while he was at your residence, he had attacked you. Do you want to just repeat what you were saying to me before so we can document that?

**Lund:** Yes. Um, we were in the kitchen and talking and work came up. He pushed me with one hand and then as I go, what's going on here? And then he did two hands

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and then um, and then next thing I know, it was a punch. And I, if I remember right, it was this side, the right side.

**Traynor:** Okay.

**Lund:** And then I went down and next thing I know, he's kneeling over me choo choo..

**Traynor:** Hold on just a second. Just for the record, you've used both hands in a punching...

**Lund:** Yes.

**Traynor:** ...manner to indicate that you were being punched with both his right and left...

**Lund:** both fists

**Traynor:** ...hand, okay?

**Lund:** Yes.

**Traynor:** Okay.

**Lund:** And then last thing I remember, I thought I seen AUSTIN with something, trying to get DON off of me. And I and then I woke up here. And I thought WENDY was on the phone with 9-1-1.

**Traynor:** Okay.

**Lund:** Um, and then I woke up here and that's it. That's all I remember and I do remember um, my um, my thumb going in his mouth and he, I remember the pain.

**Traynor:** Okay. Just so for the record as well, we've spoken with your nurse and your nurse says you do have what appears to be a bite injury on your thumb and you also have facial injuries which she said were consistent with you having been hit in the face so...

**Lund:** She said I broke my nose. And then the uh,

**Traynor:** I don't think it's your nose. I think it's the bone next to your nose. I think it's over in this area here.

**Lund:** Is it black and blue?

**Traynor:** Uh, no. It doesn't look that bad right now but I suspect in a few days, it's probably going to swell and...

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**Lund:** Doctor came in and was talking about my nose. The uh, I can't remember what he, specialist of some sort.

**Traynor:** Yeah. He's probably looked at x-rays and other things and he can see the damage inside. Sometimes the damage inside takes a couple days to show up on the outside. So I suspect in a couple days, your face will look, you know, significantly worse than it does now. So...

**Lund:** This is not the first time this has happened.

**Traynor:** It's not or it is?

**Lund:** DON attacked another employee um, about a year ago. We were at DON's house. He was having a, you know, everybody over from the company and everything. And um, we all left and there was like, it was DON, DARREN and DON's wife. I think it was just the three of them there. And uh, a fight broke out. And I mean DARREN, a lot of furniture got busted up and stuff. Nobody really knows what happened. All we hear is DARREN didn't remember anything. He was pretty intoxicated.

**Traynor:** Right.

**Lund:** And he came up to work and his whole face was just and he wouldn't, I mean it was just, it was, yeah.

**Traynor:** Just a mess?

**Lund:** Yeah...

**Traynor:** So how long have you known DON?

**Lund:** Uh, oh god, four years? Maybe five?

**Traynor:** And I think you already said this already but you're his boss?

**Lund:** Um-hm. I'm the shop foreman.

**Traynor:** Shop foreman? Okay. What's he like as an individual? You know, is he easy to work with?

**Lund:** Nervous.

**Traynor:** He's a nervous individual or he makes you nervous?

**Lund:** No, he, he's nervous.

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**Traynor:** He's nervous, okay.

**Lund:** Um, a little bit of pressure, he's always just like you know, he, you know, you know, he's just like on like a cat on a hot tin roof. You know? He's always just a little bit nervous.

**Traynor:** Right. Is he, does he have a reputation at work for being aggressive or anything like that?

**Lund:** No.

**Traynor:** Do you socialize with him?

**Lund:** Hmm, a little bit. You know, being the shop foreman, you know, he, you know, would confide you know, I knew he was having a lot of problems at home.

**Traynor:** What kind of problems?

**Lund:** Um, well his daughter was having, going through some drug problems. And um, you know his wife got laid off a couple years ago and now she just recently got hired back on.

**Traynor:** Okay.

**Lund:** Um, two grandkids. I think he has custody of the oldest grandchild. Um, and the youngest grandchild moved back in, cries all the time.

**Traynor:** Um-hm.

**Lund:** Um, that, that that sort of thing.

**Traynor:** Does...

**Lund:** Just being the boss, just confiding in, that's...

**Traynor:** Right. Has he ever talked to you anything about him having alcohol problem? Or you know, trying to drown his problems with booze? Or anything like that?

**Lund:** No. He said that he hadn't drank in uh, god, I thought it was a couple of months.

**Traynor:** Okay. So how did he end up at your house tonight?

**Lund:** Uh, he called me.

**Traynor:** Um-hm.

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**Lund:** And he had asked, he said what are you guys doing? I said, well, WENDY and I are just visiting. We had a long week, we've been working a lot of overtime at work.

**Traynor:** Right.

**Lund:** A lot of big projects. WENDY had been working a lot so we were just, I said we're just you know, uh having some um, vodka and orange juice. And we didn't even have the TV on. I think AUSTIN ended up turning it on, playing the video game. But that's it. I had just recently moved back in from a divorce.

**Traynor:** Right.

**Lund:** So not even everything is unpacked.

**Traynor:** Right.

**Lund:** And he said hey, do you mind if I come over? Absolutely.

**Traynor:** Is that yes you minded or no you didn't mind?

**Lund:** Oh no, I was fine with it.

**Traynor:** Okay.

**Lund:** Sure.

**Traynor:** Do you remember telling either WENDY or AUSTIN anything about him coming over?

**Lund:** I told WENDY that he was coming over.

**Traynor:** But anything more in terms of you maybe having a couple concerns about him coming over?

**Lund:** I've said that he's a little, he's a little high-strung. And he was a little, I was a little concerned. Um, you can ask anybody in the shop. Everybody is, everybody is a little leery of bringing him around because when he gets drunk, he just gets wild.

**Traynor:** Okay.

**Lund:** And he gets obnoxious. You know, super loud, super ridiculous.

**Traynor:** So when he called you, did he tell you where he was?

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**Lund:** No. His son was driving.

**Traynor:** And do you know what his son's name is?

**Lund:** CORY.

**Traynor:** CORY?

**Lund:** Um-hm.

**Traynor:** Do you know how he got to your house?

**Lund:** CORY.

**Traynor:** Okay. So when he called you on the phone, did you get a sense of what his mood was like or what was going on?

**Lund:** No.

**Traynor:** Did he sound drunk at all?

**Lund:** No, not really. He didn't sound wild at all.

**Traynor:** Okay. You mentioned people at work kind of avoid him a little bit...

**Lund:** Um-hm.

**Traynor:** ...when because of his problem with drinking but or his problem behavior when he drinks.

**Lund:** Yes.

**Traynor:** ...but you haven't, have you seen him, you said there was one time when there was a fight.

**Lund:** Yeah, but...

**Traynor:** Have you seen him drunk before?

**Lund:** Yeah.

**Traynor:** Have you seen him drunk at work? Or is it always outside...

**Lund:** No, no. Never at work, always outside. He's more of a I'll go you know, maybe two months, no drinking at all and then cut loose one weekend.

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**Traynor:** That's him or you?

**Lund:** Him.

**Traynor:** Him, okay. And so I guess my question would be, how many times have you seen him drunk?

**Lund:** Um, maybe three or four times.

**Traynor:** And has he been the same way each of those times? Or is he different each time?

**Lund:** One time we were out in town and he's getting you know a little obnoxious and everything. I just left him there.

**Traynor:** When you say "obnoxious," tell me about what's obnoxious?

**Lund:** Loud, loud,

**Traynor:** Just loud?

**Lund:** Embarrassing you know, just I don't like being around that kind of crap. So uh, he was being obnoxious and everything. I can't remember the name of the bar. It was in St Johns. We had walked up and he was \_\_\_\_\_ being just super loud and everything. I just went home.

**Traynor:** Yeah. Does he you know, does he try and start fights? Does he is he just you know, trying to make friends with everybody? What's his demeanor? You say obnoxious but...

**Lund:** You know, I, I think, I think it's starting fights. Well, that's why everybody always wondered what exactly, we heard stories of what happened when he um, got in a fight in his house.

**Traynor:** Right.

**Lund:** But nobody really knew what happened. So I mean even like a co...my fellow co-worker DON um MIKE PRICE, um, you know, we were talking about it yesterday or the day before. I was gonna have everybody over and help me paint the inside of the house. We were like, well, what are we gonna do with DON? You know? If I have co-workers over, I don't want to just exclude him.

**Traynor:** Right.

**Lund:** So 'cause it was only like seven or eight of us and he said well you know, you're not invited. That makes for and so we had talked about well, let's just put him um, barbecuing.

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**Traynor:** Um-hm.

**Lund:** Let him run the barbecue and he can cook the food and stay away from the paint and try to you know, veer him away from a situation.

**Traynor:** So generally speaking then, when you were looking to plan this event, you were looking to what? Keep DON away from the booze? Or keep DON away from everyone else or...

**Lund:** Probably both.

**Traynor:** Okay.

**Lund:** Probably both.

**Traynor:** Okay.

**Lund:** I mean don't get me wrong, DON's good up until this is um, his, his out of control. DON's good until about about right here.

**Traynor:** Right.

**Lund:** And then you know, great guy, great guy, just a hard worker, do anything for you and then he just like falls off that tier and you don't even know who he is. Just like last night.

**Traynor:** So let's go back to last night and so he calls you uh, did he call your cell phone?

**Lund:** Yes.

**Traynor:** And that was the 971-number you gave me?

**Lund:** Yes.

**Traynor:** ...a little bit ago? Okay. And does he say I'm heading your way? Does he...

**Lund:** He asked, is it okay if I come over?

**Traynor:** But did it sound like he was already out and about? Or...

**Lund:** I didn't think, no, no, no. He was at home. He said he was at home.

**Traynor:** Okay. And did you think that was unusual for him to call you? It was kind of late in the evening.

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**Lund:** Actually I thought it was extremely unusual 'cause he never calls out of nowhere like that.

**Traynor:** Right.

**Lund:** He lives in Vancouver so it's not like he's like down the street.

**Traynor:** Right. So how come you let him come over?

**Lund:** Hm, I knew he'd been going a tough time with his daughter and the drug problem and she'd been going so I knew he was probably you know, he confided in me and really had some, really having a tough time at home with his...

**Traynor:** Right.

**Lund:** ...you know, he told me about a week ago, he'd like to get an apartment and just move out and have a simple life so...

**Traynor:** Okay. So...

**Lund:** I didn't think anything of it.

**Traynor:** Let's just take a couple steps back. So earlier in the evening, as I understand it, WENDY she left work and she was coming over to spend the weekend?

**Lund:** Um-hm.

**Traynor:** At your house? To help you unpack and all that other stuff. And she called you and I think you went and picked her up from...

**Lund:** Walgreen's.

**Traynor:** Walgreen's. So did you buy anything while you were over at Walgreen's?

**Lund:** Ice.

**Traynor:** Just ice and what was the ice for?

**Lund:** Drinks.

**Traynor:** Okay.

**Lund:** Yeah.

**Traynor:** Did you head right back home from...

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**Lund:** I was still in my work clothes.

**Traynor:** Okay. What time did you finish working?

**Lund:** Uh, last night it was four o'clock. We were working some over time. Then from there, I had to go to mom and dad's. I was getting AUSTIN's bed. Still moving, um, matter of fact, the truck still had stuff in the backseat so I told her, I said uh, I've picked up stuff for tacos or nachos.

**Traynor:** Okay.

**Lund:** ...at Freddie Meyer's and then I got back to the house and it started to rain so I was like, I've got to get the bed out of here. So AUSTIN grabbed the bed, put it in. Then I told WENDY, I said I forgot ice 'cause my refrigerator's been busted.

**Traynor:** Okay.

**Lund:** So the refrigerator guy was just there.

**Traynor:** Okay.

**Lund:** So obviously couldn't make ice so I said hey, why don't you just get off at Walgreen's and she takes a bus. So I went there and we picked up ice and came back.

**Traynor:** Okay. And what was...

**Lund:** I hadn't even showered.

**Traynor:** Okay. What was the plan for the weekend? I mean if this hadn't happened, what would you and WENDY have been doing?

**Lund:** The plan for today, AUSTIN actually today, uh AUSTIN's supposed to go snowboarding with the school.

**Traynor:** Okay.

**Lund:** And I wanted to get the carpet out. Um and get the kitchen cleaned up. Go through the ... those flippin' sugar ants are everywhere.

**Traynor:** Right.

**Lund:** I wanted to get the ants out. Go through all the cabinets.

**Traynor:** Just trying to get the house back in order?

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**Lund:** Yeah. Like I said, I'd only been in there a week so this is my first weekend back in. You know, the ex has taken stuff you know, the barbecue's gone.

**Traynor:** Right.

**Lund:** Hot tub's not working. Um,

**Traynor:** Right. That's okay. I just needed a sense of what you guys had planned. So you pick WENDY up at Walgreen's. Did you stop anywhere on the way back home?

**Lund:** No.

**Traynor:** When you get home, kind of run through with me the evening. What were you guys doing?

**Lund:** Oh when we got home, AUSTIN met us at the door and we all three unloaded the back of the thing. You know, I had some pictures and stuff like that.

**Traynor:** Right.

**Lund:** Um, we hung the pictures up. AUSTIN cooked a hamburger. WENDY and I talked you know, we're talking about having her move in. Um, and then we had a few drinks. Got the radio or the ipod thing going. Um, really...

**Traynor:** So you say you had a few drinks. What were you guys drinking?

**Lund:** Stolis.

**Traynor:** What's that?

**Lund:** Vodka.

**Traynor:** Okay. Do you mix anything with the vodka?

**Lund:** Orange juice.

**Traynor:** Orange juice and how many of those do you think you had?

**Lund:** Uh, maybe four.

**Traynor:** Okay. Now we saw several glasses that were in the, in your kitchen area. What size glass do you think you were drinking out of?

**Lund:** I was drinking out of the um, uh, it's like sharp on the edges. I don't know if it's, It's not crystal.

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**Traynor:** Yeah but it's that same crystal style?

**Lund:** Yeah.

**Traynor:** Okay. And that looked like it was about eight ounces. Is that...

**Lund:** That was mine.

**Traynor:** That was yours. Okay. That had a mixture of it looked mostly like orange juice. Well you can't see vodka. What portion of vodka and what portion of orange juice do you mix?

**Lund:** Probably 50 / 50.

**Traynor:** So 50 / 50? And you said you think you had about four of those?

**Lund:** Yes.

**Traynor:** Okay. Now are you sure four or is four kind of a fuzzy number? You're not sure?

**Lund:** It's probably ball park.

**Traynor:** Ball park, okay. So could it have been much higher or would it have been much lower...?

**Lund:** Oh it wouldn't have been much higher.

**Traynor:** Okay. So...

**Lund:** During the week, I might have um, maybe, maybe one a night? Maybe?

**Traynor:** Yeah.

**Lund:** Or maybe none.

**Traynor:** Okay. No, no...

**Lund:** During the week, I'm not...

**Traynor:** We're not accusing you of anything. I just need to get a sense of...

**Lund:** I just, that's what I'm trying to, I'm not a huge um, drinker or anything.

**Traynor:** Right. So four, let's say for the sake of argument, you had four. Four is a pretty good load for you?

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**Lund:** Hm, I don't know if it's a pretty good load. Define "load." What do you mean like...

**Traynor:** Well, I mean are you...

**Lund:** I was not, I couldn't drive.

**Traynor:** Right but are you, if you were to have four drinks like that when nothing like this happened, would you, the next morning, would you be able to remember what happened the night before?

**Lund:** Oh yeah, I think so. Absolutely.

**Traynor:** Okay. So I guess what I'm trying to get to is you were saying that your memory of the night is not crystal clear.

**Lund:** No it's not.

**Traynor:** So I'm trying to figure out if that's a result of a head injury, or if that's the result of alcohol or I'm trying to figure out from you what it is, is causing your memory not to be that clear.

**Lund:** Well I would say as soon as he hit me right here, and I'm guessing it's right here,

**Traynor:** Right.

**Lund:** ...uh, 'cause it hurts right there.

**Traynor:** That's where he hit you, yeah. That's what the nurse says.

**Lund:** Oh, um,

**Traynor:** There's no doubt that you were hit so don't worry about that.

**Lund:** No, no, I'm saying as soon as he did that, I mean I remember I'm on the floor and I actually thought I saw AUSTIN with something um, like the color of that wall. But it could have been because I was in and out all night here. It could've just, I looked at, I thought I seen him trying to get DON off me.

**Traynor:** Okay.

**Lund:** And I thought I seen WENDY in the corner on the phone, calling 9-1-1 'cause she was flipping out. And um,

**Traynor:** Well let's get to that in just a second.

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**Lund:** Sorry.

**Traynor:** So you think you had about four. Now do you think you had those four or so drinks over the whole course of the night? Or did...

**Lund:** Oh yeah.

**Traynor:** So what time do you think your first one would be about what time?

**Lund:** I, I, I was supposed to pick her, she thought she'd be about 6:00 and I was running late. I would say like 6:15 maybe?

**Traynor:** Okay.

**Lund:** Was my first drink.

**Traynor:** First one and then...

**Lund:** and then uh,

**Traynor:** Do you remember, you DON showing up?

**Lund:** Oh yeah.

**Traynor:** Okay. And...

**Lund:** And I remember I opened the door and I seen CORY there and he was telling CORY you know, come back and stuff like that. CORY is his son.

**Traynor:** Do you remember fixing DON a drink?

**Lund:** Yeah, I think I did make him a screwdriver.

**Traynor:** Okay.

**Lund:** Used same proportion.

**Traynor:** Okay. Do you remember what glass you put the screwdriver in? His screwdriver?

**Lund:** No, I do not.

**Traynor:** Do you remember, excuse me just a second.

**Lund:** WENDY had the glass um, the shaver glass.

**Traynor:** The Shaver glass?

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**Lund:** Um-hm.

**Traynor:** What's a shaver glass? I'm sorry.

**Lund:** Uh, the logo on the glass.

**Traynor:** Oh. Okay.

**Lund:** It literally said "Shaver."

**Traynor:** Shaver, okay. Alright. Oh, it's the company you work for?

**Lund:** Um-hm.

**Traynor:** Oh. Gottcha. Sorry.

**Lund:** So she was drinking out of that, she was drinking out of that one...

**Traynor:** Is that one, does it have a handle on it?

**Lund:** No.

**Traynor:** Oh okay.

**Lund:** That's the one DON was drinking. The one from Germany.

**Traynor:** Okay. There's one that looks like a small...

**Lund:** Actually I think WENDY may have that because usually I don't use those glasses because they're from Germany.

**Traynor:** Alright. And that was a mixture of vodka and orange juice?

**Lund:** Yes.

**Traynor:** Do you remember drinking anything else with DON?

**Lund:** I think we had some shots of bourbon.

**Traynor:** Okay. Do you remember, there's two shot glasses there. Do you think it was just you and DON drinking the bourbon? Or do you think WENDY had some bourbon? Or...

**Lund:** I can't remember if WENDY had, I don't think she had any bourbon.

**Traynor:** Okay. Alright.

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**Lund:** I'm not a big shot drinker so it's not a big thing for me.

**Traynor:** Right. Right. So by the time DON's been there for a little bit and you've had your vodka and orange and you maybe also had some bourbon, do you remember how you were feeling? Were you feeling buzzed? Were you feeling...

**Lund:** Yeah.

**Traynor:** ...drunk?

**Lund:** Buzzed.

**Traynor:** Kind of buzzed? Okay. What kind of buzzed person are you? Are you someone that likes to get in arguments? Or are you someone that likes to sit and watch TV? Or are you someone that just likes to go fall asleep in the corner?

**Lund:** I think it's that guy.

**Traynor:** The guy, the fall asleep in the corner guy? Yeah?

**Lund:** Yeah.

**Traynor:** Yeah.

**Lund:** And um, I know that I was really excited.

**Traynor:** Excited about what?

**Lund:** Because I just got back in the house.

**Traynor:** Oh. I see. Okay. Alright.

**Lund:** The divorce was all final. The divorce lasted a year.

**Traynor:** Okay.

**Lund:** And so it was just AUSTIN and I, just a huge relief so it was just like great. WENDY and I, we sat on the bed. We just talked. The mood was great. Everybody was in a good mood.

**Traynor:** Was this before or after DON was there?

**Lund:** Before.

**Traynor:** Okay.

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**Lund:** I mean the three of us were just in a great mood. We had the music going, just visiting, talking about AUSTIN's...

**Traynor:** What was your mood like when DON got there?

**Lund:** I thought it was great.

**Traynor:** Okay. Do you remember any issues with DON at all?

**Lund:** Um-hm.

**Traynor:** Do you remember him saying or doing anything that made you feel uncomfortable? That uh...

**Lund:** No.

**Traynor:** ...made you want to tell him not to do that?

**Lund:** Just the push.

**Traynor:** Okay.

**Lund:** The one-handed push and then it was a two-handed push and...

**Traynor:** Okay.

**Lund:** ...if I remember correctly, it was about work. And he's always a work talker. So we always try to steer away from that.

**Traynor:** Okay. I don't want to ever put words in your mouth so if you don't remember, you don't remember. But you know, some of the information we got so far suggests that the, there was, DON's behavior towards WENDY caused some problems.

**Lund:** I don't doubt that. Jesus Christ.

**Traynor:** But again, I'm more interested in what you remember as opposed to what you...

**Lund:** He's done that before. I had a date over and him and my date got, we were at MIKE PRICE's house. A fellow, co-worker and I went to bed and he went off on her, you know...

**Traynor:** What kind of stuff did he do?

**Lund:** Apparently he didn't like her hands and so he was just drunk. Um and I went to bed and I told TANYA, I said, let's, we're out of here. And then she was gonna go home. She wasn't that drunk. And he just, he said she had "man hands." And all

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this shit, she's bawlin'. Um, he was just aggressive. I didn't know about this 'til the next day. Of course, WENDY doesn't know any of that, previous girlfriend.

**Traynor:** Right but I guess my question is, do you remember, specifically remember last night...

**Lund:** I don't, no.

**Traynor:** ...him having any...Let me deal with my phone here. Otherwise it'll just keep making that sound. So

**Lund:** Not really. I remember something about it. But I know he got wound up about work or some crap too.

**Traynor:** Okay. And again, I'm interested in what you remember. Don't let anything I tell you make you think, well that happened. If you don't remember, you don't remember. Do you...

**Sponhauer:** You said you think you remember a little something? What was that something about?

**Lund:** Just something with WENDY. He's always obnoxious, you know, so it was something towards her. But I, I couldn't, I couldn't tell you what it was.

**Traynor:** Okay. Do you remember that or you thinking that?

**Lund:** I remember there something going on between, there was an argument between something there.

**Traynor:** Okay. Do you remember, you already said that he pushed you with one hand, and then he pushed you with both hands.

**Lund:** Yes.

**Traynor:** Do you remember him being on top of you?

**Lund:** Yeah with two fists.

**Traynor:** Okay. And he's hitting you with both fists?

**Lund:** Like this. That's what I remember. And I seen AUSTIN come in behind him and I thought AUSTIN had something and was trying to hit him. But it seemed like it was the same color as this.

**Traynor:** You're, because the recorder doesn't see, you're pointing at the wall so it's a cream color thing?

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**Lund:** Yeah, but you know, well the house is kind of that color too.

**Traynor:** Right.

**Lund:** So it could've just been you know, I was in and out and I remember getting just getting wailed and punched and...

**Traynor:** Okay. So let me ask you this; so when you're getting wailed and you're getting punched, what's going through your mind? What do you think is happening to you?

**Lund:** I'm trying to figure out how to get this guy off me.

**Traynor:** Okay.

**Lund:** You know? I

**Traynor:** Okay. Dumb question but I've got to ask it. Why do you want to get him off you?

**Lund:** He's ..... gonna beat the crap out of me.

**Traynor:** You think he's gonna seriously injure you?

**Lund:** I, actually DARREN, the guy I previously talked about,

**Traynor:** Oh yeah, yeah, yeah.

**Lund:** He came up and literally his face is this big.

**Traynor:** Right.

**Lund:** Eyes swollen shut and I'm thinking, holy crap.

**Traynor:** Okay.

**Lund:** And

**Traynor:** So your thought and again, I guess I'm curious that if you specifically remember this, or if you're...

**Lund:** Oh I remember him on top of me just beating the crap...

**Traynor:** But do you remember what you were thinking as he's on top of you? Do you remember thinking, I don't want to be DARREN?

**Lund:** Uh, probably not necessarily like that.

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**Traynor:** Right.

**Lund:** Um, I mean my instinct of course if someone's sitting on top of you, punching you like this, back and forth, um my instinct is get this guy off of me and get it shut down.

**Traynor:** Okay. Okay. Do you remember seeing a policeman?

**Lund:** No. No.

**Traynor:** Do you remember hearing any sounds, unusual sounds? Do you remember pain around your face that wasn't...

**Lund:** Not 'til I woke up in here.

**Traynor:** Okay.

**Lund:** I didn't even, after I saw AUSTIN and I seen WENDY over here and AUSTIN here, next thing I remember is waking up in here.

**Traynor:** Okay. Okay.

**Lund:** And my nose was like solid blood so I was trying to get and I and that's when they said your nose was broken.

**Traynor:** Okay.

**Lund:** And then I had blood all over my hands. I came in cleaned me and I remember this specifically. When my thumb went in his mouth and he...

**Traynor:** He bit you.

**Lund:** Oh really bad.

**Traynor:** Okay.

**Lund:** \_\_\_\_\_ broke

**Traynor:** Yeah, I see that. No, the nurse, if it's bad enough for the nurse to make mention of it, then you know, I know it's uh of concern to them. Is there anything else you remember about the physical struggle between you and him?

**Lund:** No, just him on top of me, back and forth.

**Traynor:** Okay. And again, you're using your hands to show that he's hitting you with both fists, okay.

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**Lund:** Both fists um-hm. This side here hurts a helluva lot worse than this side.

**Traynor:** Okay. And...

**Lund:** being on the right side.

**Traynor:** Is there a point in the night when suddenly you don't remember it? Or is the whole night essentially fuzzy?

**Lund:** No, as soon as...

**Traynor:** Don't touch your face (laughs)

**Lund:** ...yeah. The second punch and then it was like a sucker punch and then it's over. And everything is from the sucker punch to waking up here, about four o'clock in the morning. I was, it was, that was it.

**Traynor:** Okay. Do you remember any damage to your house?

**Lund:** No.

**Traynor:** Okay.

**Lund:** Is that a mess?

**Traynor:** Uh, you know, I don't want to contaminate your memory. And I don't want to put something in your brain that isn't there so I'd rather talk to you in a couple days when you may be your brain is a little clearer...

**Lund:** Sure.

**Traynor:** ... than be putting ideas in your head now that ultimately we don't get the truth, we just get what you think happened because a policeman told you or asked you a question about it. So

**Sponhauer:** Was there any wall damage in the house?

**Lund:** Not that I remember, no.

**Sponhauer:** Okay.

**Traynor:** But when you...

**Lund:** I remember just hitting the floor.

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**Traynor:** Okay. Well let me ask you this; was there any wall damage to your house prior to this afternoon?

**Lund:** Uh, last night...

**Traynor:** In the, in the yeah. So six o'clock this afternoon,

**Lund:** ...oh yeah, there's a few. I think AUSTIN's room has a hole in the...

**Traynor:** We're talking about the front entryway so kind of behind the front door there?

**Lund:** No.

**Traynor:** So if we had come over and visited with you this afternoon about say five or six o'clock, when you and WENDY were coming home, we wouldn't have seen any damage behind the door there?

**Lund:** No, not that I can remember.

**Traynor:** Okay.

**Lund:** But again, I just moved in uh you know, a few days so we're still like we were in the house two days before I realized the barbecue was gone.

**Traynor:** Okay. You'd notice this.

**Lund:** Aw shit.

**Traynor:** Anything else?

**Sponhauer:** I have a couple questions. TONYA's last name?

**Lund:** FARRIS. F-A-R-R-I-S.

**Sponhauer:** Does she live in Portland?

**Lund:** No, she's in Vancouver.

**Sponhauer:** Vancouver? White gal? Black gal?

**Lund:** White gal.

**Sponhauer:** You don't have her phone number still in your memory bank, do you?

**Lund:** I don't.

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**Sponhauer:** Okay. Do you know where she works?

**Lund:** She's uh, owns her own business. She's a housecleaner.

**Traynor:** That's, TONYA is the former girlfriend?

**Lund:** Yes.

**Traynor:** Okay.

**Sponhauer:** Do you know the name of her business?

**Lund:** No I don't.

**Sponhauer:** Okay. About how old is she?

**Lund:** 40, she's my age.

**Traynor:** Will you have her phone number somewhere in your cell phone?

**Lund:** Actually I think I can contact her through Facebook. She's still on my Facebook.  
I might have it in my phone.

**Traynor:** Okay.

**Sponhauer:** Do you know what street she lives on or lived on?

**Lund:** No, 'cause she moved and then she moved in with her parents.

**Sponhauer:** Do you know where her parents live?

**Lund:** Uh, towards Camas. You go down that uh, I don't know Vancouver very well. I think it's Highway 14. Follows the river, go all the way down there and...

**Sponhauer:** What kind of car does she have? Or did she have...

**Lund:** Uh, it's a Kia black Kia.

**Sponhauer:** Okay.

**Lund:** Like a SUV kind of thing.

**Sponhauer:** And DARREN, does he still work with you guys?

**Lund:** No, he got fired.

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**Sponhauer:** What's DARREN's last name?

**Lund:** WALSH.

**Sponhauer:** W-A-L-S-H?

**Lund:** Yes.

**Sponhauer:** Okay. Black guy? White guy?

**Lund:** White guy. He's 45? He lives in St Johns.

**Sponhauer:** Okay. So work might have his number, how to get hold of him?

**Lund:** Um-hm.

**Sponhauer:** Okay. You don't have his new number?

**Lund:** Well, he had a company phone so again, I might be able to round it up. MIKE PRICE might have it.

**Sponhauer:** Okay.

**Lund:** I know MIKE still stays in contact with him.

**Sponhauer:** Okay. And

**Lund:** And I know MIKE's number.

**Sponhauer:** Okay. What's MIKE's number?

**Lund:** Uh, 503-701-1717.

**Sponhauer:** Okay.

**Lund:** And he's an electrician at work.

**Sponhauer:** Okay. And when you saw AUSTIN trying to help you or I don't know how you described it, get DON off you or something. Was there any concern that you had...

**Lund:** Oh, whew, fear for my son.

**Sponhauer:** Why?

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**Lund:** Well, this guy's, I'm not a small guy. I mean this guy's beating the hell out of me, you know? My son's not even, he's gonna be 16 next month.

**Sponhauer:** Okay.

**Lund:** I mean yeah of course. Or even going after WENDY for Christ's sakes.

**Sponhauer:** Okay. And I just think I had another question. (sound of pages turning) Trying to keep up with you, that's just a little hard for me to write that fast. Um, and when you said you guys heard stories about DON fighting in his house with...

**Lund:** DARREN

**Sponhauer:** That was DARREN? And that occurred at DON's house?

**Lund:** Yeah.

**Sponhauer:** Okay.

**Traynor:** Okay. We're done. Is there anything we didn't ask you that you think right now is really important? That we should have asked you?

**Lund:** No, but if anything comes to me, I'll definitely...

**Traynor:** Yeah, we'll leave you our business cards and just give us a call if something comes to you.

**Lund:** I, I, I really don't think DON's a bad guy.

**Traynor:** Is a what? Sorry.

**Lund:** He's not a bad guy. You know, he confided in me he was really struggling with his daughter. Anybody who watches their daughter go through a heroin addiction, you know, he was just up and down and he was just you know, really depressed.

**Traynor:** Right.

**Lund:** And so you know, being in charge, he's hey, JON, I'm really having a tough time. And then his dad's sick. And I know he's going on vacation in a couple weeks he had said hey, my dad's not gonna make it. He tries to go every summer. Said hey, my dad may not make it 'til summer. I need to go. And I was like, hey, that's no problem.

**Traynor:** Okay.

**Lund:** So, I don't think he's really a bad guy.

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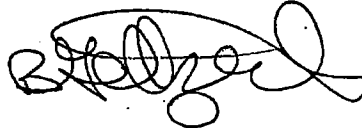
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Traynor: . . . Okay. It's approximately 0945 hours and we're done.

Transcribed Verbatim With Punctuation Added 050112 / 1350 hrs B Geltzeiler

A handwritten signature in black ink, appearing to read "B. Geltzeiler", is written over the text of the transcription.

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